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**Remarks**

Entry of the above-noted amendments, reconsideration of the application, and allowance of all claims pending are respectfully requested. Claims 1-2, 4-5, 7-8, 10-11, 20, 22, 24-30, and 34-39 will be pending.

Applicant's arguments presented below focus on certain patentable differences between the invention as claimed and the applied references. However, it is not to be inferred that the failure to argue all differences between the claimed subject matter and the applied references constitutes acceptance of assertions made in the Office Action of alleged similarities between elements of the claimed subject matter and the applied references.

Claim Rejection - 35 U.S.C. §112, second paragraph:

Claim 5 was rejected under 35 U.S.C. 112, second paragraph, as containing the phrase "for the latter" which was said to be unclear. This rejection is overcome by deletion of the subject phrase. Withdrawal of this rejection is requested.

Claim Rejection - 35 U.S.C. §103:

Claims 1, 7, 20, 30, 22, 25, 32, 35, and 45-48 were rejected under 35 U.S.C. 103 based on Dahod (US 20040224678) in view of John (US 6,216,106). These rejections are respectfully traversed, and at least some of the reasons for withdrawing the rejections are explained below.

Claim 1

Claim 1 is directed to a method implemented by a push-to-talk wireless mobile terminal that is in the position of a recipient of incoming calls. A determination is made if a first input from a user of the first mobile terminal has been made requesting selectable acceptance management for incoming calls not yet initiated to the first mobile terminal. If the request has been made, the

first mobile terminal transmits a first control message to a communication application server. The first control message represents an instruction to implement selectable acceptance of future incoming calls to the first mobile terminal. Selectable acceptance includes storing at the communication application server an initial voice message associated with the incoming call to the first mobile terminal. The initial stored voice message is transmitted to the first mobile terminal from the communication application server during a first real-time communication session only upon the communication application server receiving a playback signal from the first mobile terminal where the playback signal is distinct from another signal generated by the first mobile terminal upon a depression of a push-to-talk button on the first mobile terminal to answer a call. Thus, a request is transmitted from the first mobile terminal to the communication application server before the initial voice message from the calling party will be delivered from storage to the first mobile terminal from the communication application server. Further, this request is not an answer signal from the first mobile terminal generated by pressing a PTT button.

Claim 1 requires receiving at the first mobile terminal the stored initial voice message in response to the transmission of the playback signal where the stored initial voice message is received at the first mobile terminal while the calling party remains in the first real-time communication session with the communication application server and without the first mobile terminal having answered the incoming call by depression of the push-to-talk button on the first mobile terminal.

The wireless PTT phone of Dahod is relied upon to provide the PTT requirement of claim 1. An "answer" of an incoming call by the PTT wireless phone in Dahod is a transmission acknowledgment generated by a PTT button depression. In fact Dahod teaches that an answer, i.e. PTT button depression, is required in order for the voice message to be sent to the mobile during a real-time communication session with the calling party; see Dahod Fig. 3, steps 1004 (PTT answer) and 1016 (continue session). However, claim 1 specifies that the playback signal generated by the mobile terminal is not generated by a PTT button depression.

As noted by the Examiner, paragraph 45 in Dahod describes that an SMS message can be used to notify the recipient of the arrival of a stored voice mail. However, in paragraph 44 of Dahod the actions taken following a “no answer” (step 1004) are explained. It is explained that

“... the stored voice message [real-time session message] expires. The expired voice message may be deleted or may be saved as a voice mail message as described elsewhere in this application.” (emphasis added)

It is such a saved voice mail message that is referenced in the following paragraph 45. It would be clear to one of ordinary skill in the art that the voice mail referenced in paragraph 45 is a way to preserve an expired real-time message. Dahod expressly teaches that the calling party’s real-time session voice message expires; see step 1018 in FIG. 3, and paragraph 44, where step 1018 is followed by “End session”. Hence, even if the called party in Dahod is later notified of a saved mail version of the original real-time session voice message which has expired, the real-time session with the calling party will have expired with the expiration of the real-time session message. Hence, Dahod does not teach the requirements of claim 1. Since John is not relied upon for teaching the subject limitation, the applied combination of Dahod and John together do not teach the required limitation and hence the 35 U.S.C. §103 rejection should be withdrawn.

Claim 2 was rejected under 35 U.S.C. 103 based on Dahod in view of John and Simpson (US200401041593). These rejections are respectfully traversed, and at least some of the reasons for withdrawing the rejections are explained below.

Claim 2:

Claim 2 recites determining if a depression of the push-to-talk button on the first mobile terminal has been made after the first mobile terminal has received the stored initial voice message; and upon determining a depression during the first real-time communication session of the push-to-talk button on the first mobile terminal has been made after the first mobile terminal has received the stored initial voice message, the first mobile terminal transmits a reply voice communication during the first real-time communication session to the calling party.

Dahod does not teach such a limitation. John and Simpson are not relied upon for such a teaching. Dahod in fact teaches away from this requirement. In Dahod the session ends (see FIG. 3) after a lack of an answer by the called party (step 1004) and the real-time session message expires (step 1018). Hence, it is not possible in Dahod for the called party to transmit a

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